

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

TRUESIGHT COMMUNICATIONS LLC,

*Plaintiff,*

v.

SAMSUNG ELECTRONICS CO., LTD. AND  
SAMSUNG ELECTRONICS AMERICA, INC.,

*Defendants.*

Case No.: 2:23-CV-00643-JRG

**JOINT MOTION FOR AN EXTENSION OF TIME FOR LIMITED DISCOVERY  
OUTSIDE THE FACT DISCOVERY PERIOD**

Plaintiff Truesight Communications LLC (“Truesight”) and Defendants Samsung Electronics Co., Ltd. and Samsung Electronics America, Inc. (collectively, “Samsung”) file this Joint Motion for an Extension of Time for Limited Discovery Outside the Fact Discovery Period and would show the Court as follows:

Pursuant to the Court’s Third Amended Docket Control Order (Dkt. No. 67), the deadline to complete fact discovery is May 5, 2025. Due to the upcoming close of fact discovery and the need for both parties to complete certain discovery, the parties respectfully request an extension of time up to and including May 15, 2025 to pursue the following discovery: (a) inspect a device produced in response to a third party subpoena to Joseph Zipperer; (b) review source code produced in response to a third party subpoena to Joseph Zipperer; (c) take the deposition of third party Joseph Zipperer, who has also been designated Truesight’s 30(b)(6) witness on certain topics, including but not limited to the device and source code; (d) inspect recent and forthcoming source code by third parties Amazon, Netflix and Google, and request and deliver related printouts; (e) obtain authentication declarations from Amazon, Netflix and Google; and (f) take the depositions

of an Amazon witness regarding its source code; Google witnesses Michael Gaiman and Wendi Rieb regarding technical features of accused features; and Todd Duffin and Todd Malsbary identified as named inventors of the '300 Patent.

Good cause exists for the relief requested herein. On April 24, 2025, counsel for third party Joseph Zipperer made available for inspection source code and a device. Samsung has diligently worked to retain, and has retained, a new source code reviewer to inspect the items made available by Mr. Zipperer. Samsung's newly-retained source code reviewer is scheduled to begin inspection on their first availability on May 7, 2025.

Because Mr. Zipperer is both designated to testify as Rule 30(b)(6) witness and requested to sit for a deposition in response to Samsung's subpoena, the parties have agreed to schedule Mr. Zipperer's deposition after inspection of the device and source code. The requested extension of time will ensure that Samsung has adequate time to review Mr. Zipperer's source code and device, take the deposition of Mr. Zipperer, and prepare its claims and defenses in this matter.

The remaining discovery items depend on third parties. In particular, third parties Amazon, Netflix and Google have indicated they will make available for inspection additional source code and Amazon has indicated it will make available for deposition a witness to testify regarding their source code. Both parties plan to review the source code productions, request source code printouts, and request authentication declarations from Amazon, Netflix, and Google. Plaintiff also plans to take the deposition of two inventors of the '300 Patent and two Google witnesses identified in Samsung's April 22, 2025 amended initial disclosures. The parties have agreed to extend the time to allow these third-party discovery tasks to be pursued. The requested extension of time should allow both parties to do so. The parties reserve all rights regarding the pursuit of these third-party discovery tasks.

The parties represent that the extension and leave requested in this Motion are not sought for the purposes of delay but rather so that justice may be served. Should additional steps become necessary, the parties will confer in good faith and move the Court.

Accordingly, the parties respectfully request that the Court grant this Joint Motion and enter an order granting the parties an extension of time through May 15, 2025 to conduct the limited discovery outside the fact discovery period as detailed above.

Dated: May 2, 2025

Respectfully submitted,

/s/ Douglas L. Clark

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**CERTIFICATE OF CONFERENCE**

The undersigned certifies that the Parties have complied with the requirements of Local Rule CV-7(h) and that this motion is being filed jointly.

/s/ Douglas L. Clark  
Douglas L. Clark

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document *via* the Court's CM/ECF system per Local Rule CV-5(a)(3) on May 2, 2025.

/s/ Melissa R. Smith  
Melissa R. Smith